

ENTERED

April 19, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**TERRY PETTEWAY, *et al.*,

Plaintiffs.

V.

GALVESTON COUNTY, *et. al.*,

Defendants.

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CIVIL ACTION NO. 3:22-cv-00057

ORDER

Judge Brown has referred to me the parties' most recent discovery dispute. *See* Dkt. 137. To aid my analysis, defense counsel is **ORDERED** to respond to the following five questions by 6pm today, Wednesday, April 19, 2023:

1. Have other commissioners produced documents in response to Plaintiffs' Rule 45 subpoenas?
2. On what date did defense counsel serve Commissioner Holmes with a Rule 45 subpoena?
3. On what date did defense counsel serve Commissioner Holmes's personal counsel, Randy Howry, with a Rule 45 subpoena?
4. Has defense counsel represented Commissioner Holmes in either his official or individual capacity at any point in this litigation?
5. If yes, has defense counsel obtained a waiver of its conflict of interest from Commissioner Holmes?

Defense counsel should also forward a copy of their communications with Commissioner Holmes to my case manager, Ruben Castro, at ruben_castro@txs.uscourts.gov, by 6pm today. I will rule on this dispute before Commissioner Holmes's deposition begins tomorrow.

SIGNED this 19th day of April 2023.



ANDREW M. EDISON
UNITED STATES MAGISTRATE JUDGE